

67097-023; 11106

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ellington et al.
Serial No.: 10/786,707
Filed: 02/25/2004
Art Unit: 1723
Examiner: Fortuna, Ana M.
Title: METHOD FOR PRODUCING A NON-POROUS MEMBRANE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

Dear Sir:

This paper is responsive to the final office action mailed on 2 April 2007. Please reconsider the rejections in view of the following remarks.

REMARKS

Claims 6-19 and 21-26 are pending in the application.

Claims 16-19 and 21-23 were rejected under 35 U.S.C. §102(b) as being anticipated by WO 98/35739 (hereafter WO 739). The WO 739 reference fails to disclose an identical description of the claimed invention within the meaning of §102(b). Claim 16 recites "an indistinct, seamless boundary between the first membrane layer and the second membrane layer." WO 739 fails to disclose this limitation, but the Examiner concludes based on speculation that WO 739 discloses a seamless boundary. For example, the Examiner argues that if the multi-layer membrane in WO 739 is made while the first layer is wet, a "seamless boundary" would be formed. Respectfully, the Examiner is guessing or speculating that this would occur in the WO 739 reference without any evidentiary basis, which does not constitute an